

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY 9:00 A.M. SEPTEMBER 22, 1998

PRESENT:

Joanne Bond, Chairman
Mike Mouliot, Vice Chairman
Sue Camp, Commissioner
Jim Galloway, Commissioner
Jim Shaw, Commissioner

Betty J. Lewis, County Clerk
Katy Simon, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

98-922 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the agenda for the September 22, 1998 meeting be approved with the following amendment: Add: Under Item 19 - Emergency Item - Appointment of Howard Reynolds as Acting Director of Community Development Department.

PUBLIC COMMENTS

There was no response to the call for public comments.

MINUTES

On motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the minutes of the regular meeting of September 8, 1998 be approved.

98-923 BUSINESS LICENSE APPLICATION - INVESTMENT, IMPORT/EXPORT, INC. - GIANFRANCO UDOVICICH

Upon recommendation of Karen Carmel, Business License Division, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the application of Gianfranco Udovicich for a License for Importers and Wholesale Dealers of Wines, Liquors and Beer for Investment, Import/Export, Inc. to operate as an importer/wholesaler of wine be approved.

98-924 KENNEL PERMIT APPEAL - SANDY MCQUEEN

Katie Stevens, Animal Control Officer, responded to questions of the Board regarding the Kennel Permit application of Sandy McQueen to house nine dogs at 20 Darilyn Lane, Carson City, Nevada. She advised that there have been no neighbor complaints and two notices were issued regarding the number of dogs.

Sandy McQueen, applicant, responded to questions of the Board and advised that she has talked with her neighbors and they did not even know she had the dogs because they don't bark; that she brings the dogs in by 8:30 p.m., noting that they do not spend much time outside during the day because the ground tears up their coats; that she raises show dogs and from spring until winter most of the dogs are being shown all over the country; that she breeds only every two years; and that all the dogs are Shelties except for the black Lab that belongs to her daughter.

Chairman Bond asked if anyone was present that wanted to speak regarding this issue and there was no response.

On motion by Commissioner Mouliot, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that a Kennel Permit for Sandy McQueen to house nine dogs at 20 Darilyn Lane, Carson City, Nevada be approved.

98-925 SEXUAL ASSAULT VICTIMS - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care or follow-up treatment for 26 victims of sexual assault in an amount totaling \$11,315.00 as set forth in a memorandum placed on file with the Clerk from Vickie Wedow, Administrative Assistant, District Attorney's Office, dated September 1, 1998.

98-926 REVISIONS - REGULATIONS FOR CHILD CARE FACILITIES - SOCIAL SERVICES

Alice LeDesma, Child Care Licensing Supervisor, Social Services Department, responded to questions of the Board relative to the proposed regulations and the training requirements for caregivers and directors at child care facilities, regulation compliance reports, etc.

Following discussion, upon recommendation of May Shelton, Director, Department of Social Services, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the revisions to the Regulations for Child Care Facilities effective October 1, 1998, [placed on file with the Clerk] be ratified.

98-927 RECEIPT OF FUNDS - NEVADA BELL FOUNDATION - TEAM SIERRA PROJECT - MANAGER

Upon recommendation of Katy Simon, County Manager, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the receipt of funds from the Nevada Bell Foundation for the TEAM SIERRA project be acknowledged and approved.

It was noted that TEAM SIERRA was initiated through the efforts of the Reno-Sparks Chamber of Commerce in conjunction with individuals representing associations, bureaus, commissions, and companies participating in economic development activities throughout northern Nevada and California; that the Nevada Bell Foundation-Community Enrichment Program has awarded \$6,000 to the TEAM SIERRA project; that in order to access the funds, a local unit of government must receive and administer the funds; and that the Nevada Bell Foundation funds would "flow-through" Washoe County.

98-928 ACCEPTANCE OF STATE OF NEVADA HAZARDOUS MATERIAL GRANT - EMERGENCY MANAGEMENT

Upon recommendation of Press Clewe, Chairman, Finance Committee, and Carl Cahill, Chairman, Local Emergency Planning Committee, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the State of Nevada, Emergency Response Commission, Hazardous Material, Training and Equipment grant in the amount of \$25,000 be accepted.

98-929 UNBUDGETED CAPITAL OUTLAY - TRANSFER OF CONTINGENCY - SHERIFF/FINANCE

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that unbudgeted capital outlay in the amount of \$7,000 for the replacement of a metal detector for the Sheriff's Office be approved, and the following transfer from the contingency fund to the capital outlay account within the Sheriff's Office be authorized:

TRANSFER FROM:

Account	Description	Amount
001-1890-7328	Contingency	\$7,000.00

TRANSFER TO:

Account	Description	Amount
15090-7849	Capital Outlay - Other	\$7,000.00

98-930 ALCOHOLIC BEVERAGES AT SPECIAL CEREMONY - COURTHOUSE ANNEX PATIO - DISTRICT COURT

Upon recommendation of Cathy Krolak, Court Administrator, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the serving of alcoholic beverages on the patio of the Courthouse Annex, per the Facility Use policy (80.450) of the Washoe County Code, for a reception being held after work hours following the swearing-in ceremony of Family Court Master Barbara McCarthy on September 24, 1998 be approved.

98-931 ADVERTISE FOR BIDS - WASHOE GOLF COURSE RENOVATION - PUBLIC WORKS/PARKS

Upon recommendation of Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the Public Works Department be authorized to advertise for bids for the "Washoe Golf Course Renovation."

98-932 DISINTERMENT OF HUMAN REMAINS - HEALTH

Pursuant to NRS 451.050(2), upon recommendation of James Begbie, Acting District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the request of Marie Rotholtz for the Disinterment of human remains for, Ben Charles Rotholtz, her husband, be approved.

It was noted that disinterment will be from Mountain View Cemetery in Reno and reinterment will be at Sunset Hills Memorial Park in Bellevue, Washington; and that the cause of death was not due to any contagious or loathsome disease.

98-933 RESOLUTIONS -SPECIAL ASSESSMENT DISTRICT NO. 25 - CALLE DE LA PLATA

Upon recommendation of John Swendseid, Bond Counsel, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, it was ordered that the following resolutions regarding Special Assessment District No. 25 (Calle De La Plata) be adopted and Chairman Bond be authorized to execute on behalf of the Board:

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 25 (CALLE DE LA PLATA); DETERMINING THE COST TO BE ASSESSED, AND AUTHORIZING, ORDERING AND DIRECTING THE COUNTY ENGINEER TO PREPARE THE PRELIMINARY ASSESSMENT ROLL; RATIFYING THE ACTION PREVIOUSLY TAKEN; PROVIDING FOR RELATED MATTERS; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada, pursuant to an ordinance adopted October 17, 1997 (herein "Special Assessment District No. 25 (Calle De La Plata) Ordinance"), created Washoe County, Nevada, Special Assessment District No. 25 (Calle De La Plata) (herein "District"), and ordered the acquisition of a street project for the District

(the "Project"); and

WHEREAS, the Board has authorized the proper officers of the County to execute a construction contract on behalf of said County in accordance with the Project, all as provided by law; and

WHEREAS, the Board has determined heretofore that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in said District; and

WHEREAS, the Board has determined and does hereby declare that the net cost to the County of all the improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with said District) is \$490,935.17, which amount is to be assessed upon the benefited tracts and parcels of land in the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA:

Section 1. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this resolution) concerning the District, be, and the same hereby is, ratified, approved and confirmed.

Section 2. The total cost of the District to the County (including all necessary incidentals, which either have been or will be incurred in connection with said District) is hereby determined to be \$490,935.17, of which \$490,935.17 shall be paid by the assessable property in the District, as designated in the Ordinance.

Section 3. The County Engineer be, and he is hereby authorized, ordered and directed to make out and prepare an assessment roll for the District concerning, among other things:

(a) The name and address of each last-known owner of each lot, tract or parcel of land to be assessed, or if not known, that the name is "unknown".

(b) A description of each lot, tract or parcel of land to be assessed, and the amount of the proposed assessment thereon, apportioned upon the basis for assessments heretofore determined by said Board in Special Assessment District No. 25 (Calle De La Plata) Ordinance and as stated in the provisional order for the hearing on the Project.

Section 4. Immediately upon the adoption of this resolution the County Clerk shall cause a copy of this resolution to be furnished to the County Engineer. When the County Engineer has made out and prepared the assessment roll, pursuant to Section 3 of this resolution, he shall report the assessment roll to the Board and shall cause the same to be filed in the office of the County Clerk and numbered. The County Engineer shall submit an executed certificate in the form provided, which certificate, duly executed, shall accompany the assessment roll and be substantially in the form as outlined.

Section 5. The officers and employees of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution, including, without limiting the generality of the foregoing, the preparation of all further necessary legal proceedings, assessments rolls and lists, tabulations of parcels, and other items necessary or desirable for the completion

of the District.

Section 6. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 7. If any section, paragraph, clause or other provisions of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provisions shall not affect any of the remaining provisions of this resolution.

Section 8. The Board of County Commissioners has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

* * * * *

A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 25 (CALLE DE LA PLATA); CAUSING THE ASSESSMENT ROLL FOR THE DISTRICT MADE BY THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY TOGETHER WITH THE COUNTY ENGINEER TO BE FILED IN THE OFFICE OF THE WASHOE COUNTY CLERK; FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE ASSESSMENT ROLL WILL BE HEARD; PROVIDING FOR THE MANNER OF GIVING NOTICE OF THE FILING OF THE ASSESSMENT ROLL WITH THE COUNTY CLERK, OF OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, AND OBJECTIONS, AND OF A HEARING CONCERNING THE ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County"), and State of Nevada, pursuant to an ordinance adopted October 17, 1997 (herein "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 25 (Calle De La Plata) (herein "District") and ordered the acquisition of a street project for the District (herein the "Project"); and

WHEREAS, the Board has authorized the proper officers of the County to execute the appropriate documents for a construction contract on behalf of said County for the Project, all as provided by law; and

WHEREAS, such construction contract has been executed; and

WHEREAS, the Board has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in said District; and

WHEREAS, the Board has determined, and does hereby determine to issue and sell special assessment improvement bonds to be hereafter issued by the County of Washoe to pay for a portion of the cost of the Project; and

WHEREAS, NRS 271.360 provides that the Board may determine the cost of the Project to be assessed after making the construction contract, or after determining the net cost to the County, but not necessarily after the completion of the Project; and

WHEREAS, in accordance with NRS 271.360, the Board has determined the net cost to the County of all of the improvements in said District (including all necessary incidentals which either have been or will be incurred in connection with said District), which is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board by a resolution duly adopted September 22, 1998, directed the County Engineer to make out a preliminary assessment roll; and

WHEREAS, the Board of County Commissioners together with the County Engineer made out an assessment roll for said District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known, stating that the name is "unknown"; a description of each lot, tract, or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and said County Engineer has reported said assessment roll to the Board and filed the same with the County Clerk; and

WHEREAS, said Board has determined, and does hereby determine, that all of the assessable property in said County which is specially benefited by the improvements to be acquired in said District No. 25 (Calle De La Plata), and only the property which is so specially benefited, is included on said assessment roll; and

WHEREAS, the Board has determined, and does hereby determine, that the notice for a hearing on said assessment roll which is provided for herein is reasonably calculated to inform each interested person of the proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:

Section 1. All action, proceedings, matters and things heretofore taken, had, and done by the County and the officers and employees thereof (not inconsistent with the provisions of this resolution) concerning the District, be, and the same hereby is, ratified, approved and confirmed.

Section 2. The total cost of said District to the County (including all necessary incidentals which either have been or will be incurred in connection with said District) has been and hereby is determined to be \$490,935.17, of which \$490,935.17 shall be paid by the assessable property in the District, as described and as provided in the District Ordinance.

Section 3. The preliminary assessment roll for the District has been examined by said Board of County Commissioners, is tentatively approved, and is ordered filed in the office of the County Clerk this September 22, 1998.

Section 4. Tuesday, October 13, 1998 at 5:00 p.m., at the Commissioners Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, be and the same hereby is, fixed as the date, time, and place when said Board will hear and consider complaints, protests, and objections to the assessment roll, to the amount of each of the assessments, and to the regularity of the proceedings in making such assessments (whether made verbally or in writing) by the owners of the assessable property specially benefited by the improvements in "Washoe County, Nevada, Special Assessment District No. 25 (Calle De La Plata)", and proposed to be assessed, or by any party or person interested, and by all parties or persons aggrieved by such assessments.

Section 5. The County Clerk shall give notice by publication in the Reno-Gazette Journal, a newspaper of general circulation in the County, and published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the date of the protest hearing. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication in each newspaper and the last publication in the same newspaper. Such service by publication shall be benefited by the affidavit of the publishers and filed with the County Clerk of said County. In accordance with NRS 271.380(2), the County Clerk or Deputy County Clerk shall also give notice by registered or certified mail by depositing a copy of such notice in the United States mails, postage prepaid, as first-class mail, at least 20 days prior to such hearing, to the last-known owner or owners of each tract being assessed at his or their last-known address or addresses. Proof of such mailing shall be made by the affidavit of the County Clerk or Deputy County Clerk and such proof shall be filed with the County Clerk, provided, however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning said District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the County Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) appertaining thereto, shall have been paid in full, both principal and interest, or any claim is barred by an appropriate statute of limitations. The Board of County Commissioners hereby determines that the manner of giving notice herein provided by publication and by registered or certified mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests. Such notice shall be as provided in NRS 271.380 and shall be in substantially the form as outlined.

Section 6. The owner or owners of any lot, tract or parcel of land which is assessed in such assessment roll, whether named or not in such roll, or any person interested, or any parties aggrieved, may, within three days prior to the date set for the hearing, file with the office of the County Clerk his or her complaints, protests, or objections in writing to said assessment.

Section 7. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

Section 8. The offices of the County be, and they hereby are, authorized and directed to take action necessary or appropriate to effectuate the provisions of this resolution.

Section 9. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 10. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provisions shall in no way affect any remaining provisions of this resolution.

Section 11. The Board has determined, and does hereby declare, that this resolution shall be in effect immediately after its passage in accordance with law.

98-934 CORRECTION OF FACTUAL ERRORS - 1998/99 SECURED TAX ROLL - ASSESSOR

Upon recommendation of Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Galloway, seconded by Commissioner

Camp, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors on tax bills already mailed, be approved for the reasons indicated thereon and mailed to the property owners, a copy of which is placed on file with the Clerk. It was further ordered that the Orders directing the Treasurer to correct the errors be approved and Chairman Bond be authorized to execute on behalf of the Commission.

Ron and Amber Young
Coleen C. Hughes

ID #2/237-061
ID #2/178-079

APN 514-041-04
APN 534-231-08

98-935 AWARD OF BID - COLLECTION, STORAGE, HANDLING, AND SALE OF PERSONAL PROPERTY - BID NO. 2083-98 - DISTRICT ATTORNEY

This item was continued from the August 18, 1998 meeting [See item No. 98-832] concerning the award of bid for Collection, Storage, Handling and Sale of Personal Property for the District Attorney's Office.

Legal Counsel Shipman advised that the process will be changed with the next contract, and that this contract needs to be entered into in order to salvage what they already have.

One bid, copy of which was placed on file with the Clerk, was received from Anchor Auctions. Lightning Auctions, Ritchie Brothers Auctioneers, and TNT Auctions failed to respond to the invitation to bid.

Upon recommendation of Leslie Admirand, Deputy District Attorney, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Bid No. 2083-98 for Collection, Storage, Handling, and Sale of Personal Property held pursuant to the forfeiture provisions of Chapters 179 and 453 to the Nevada Revised Statutes, on behalf of the District Attorney's Office be awarded to the sole bidder, Anchor Auctions, as follows:

Bid Item #1: 40% Compensation Rate of the Net Sale Price* for the following items:

Vehicles, airplanes, boats, motor homes, trailers, and heavy equipment, with minimum of \$100.00/per vehicle.

Bid Item #2: 50% Compensation Rate of the Net Sale Price for the following items:

Home furnishing, household appliances, televisions, video cassette recorders, tape recorders, jewelry, guns, safes, office furniture, other home, business and personal effects, and other personal property which is not listed above.

Bid Item #3: \$.25/per lot Daily Storage Fee - Home furnishings, etc.
\$5.00/per lot Daily Storage Fee - Vehicles, etc.

Bid Item #4: \$7.50/per lot Monthly Storage Fee-Home furnishings, etc.
\$150.00 Monthly Storage Fee per vehicle.

*Net Sale Price means the total amount received by Contractor for the property at the auction less any applicable sales tax and less any buyer's premium which is paid and received.

Note: Any storage fees assessed to and payable by District Attorney will be deducted from District Attorney's net proceeds of the next auction and/or auctions held. It was further ordered that the Purchasing and Contract Administrator and District Attorney be authorized to enter into a one-year Agreement, commencing October 1, 1998 through September 30, 1999, with the provision for one, one-year extension, pursuant to the resolution authorizing the District Attorney to enter into agreements in furtherance of the Nevada Forfeiture Statutes, dated March 12, 1991.

98-936 AWARD OF BID - JAIL REMODEL/HOUSING UNIT #6 - BID NO. 2097-99 - BUILDINGS AND GROUNDS

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on June 29, 1998, for Washoe County Jail Remodel - Housing Unit #6 for the Buildings and Grounds Division of the General Services Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- United Construction Company
- Q & D Construction
- Crom Construction
- K-W Western

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Bid No. 2097-99 for the Washoe County Jail Remodel - Housing Unit #6 for the Buildings and Grounds Division of the General Services Department be awarded to the lowest responsive, responsible bidder, United Construction Company, in the amount of \$68,000.00 for the base bid item #1, and \$122,400.00, for add alternate bid items #1 and #2 which provide for the installation of second level Plexiglas security screens to help prevent inmates from jumping over the railing.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement for the work pursuant to the terms and conditions of the bid as awarded.

98-937 AWARD OF BID - TRAILER MOUNTED VACUUM SYSTEM - BID NO. 2108-99 - UTILITY DIVISION

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 27, 1998, for Trailer Mounted Vacuum System for the Utility Division of the Water Resources Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- Pacific Tek Inc.
- E. H. Wachs Company

Slurry Liquidator Corp.

3 T Equipment, Edward R. Bacon, GCS Western Power, Guzzler Manufacturing, Inc., ABC Service, and Municipal Maintenance failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Bid No. 2108-99 for Trailer Mounted Vacuum System for the Utility Division of the Water Resources Department be awarded to the lowest responsive, responsible bidder, Pacific Tek Inc., in the amount of \$50,000.00 for the trailer mounted vacuum system and \$1,000.00 for the optional hose support.

It was noted that the equipment is needed by the Utility Division for cleaning and servicing underground vaults and valve boxes, and is comprised of a self-contained trailer mounted vacuum system and holding tank, water system, compressor, air knife, and valve operator.

98-938 AWARD OF BID - 1998/99 SPORT UTILITY VEHICLES AND 3/4 TON 4X4 DIESEL POWERED PICK-UP TRUCKS - BID NO. 2111-99 - SOCIAL SERVICES/UTILITY/EQUIPMENT SERVICES

This was the time to consider award of bid, Notice to Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 31, 1998, for 1998/99 Sport Utility Vehicles and 3/4 ton 4x4 Diesel Powered Pick-up Trucks, on behalf of Social Services, the Utility Division of the Water Resources Department, and the Equipment Services Division of the General Services Department. Proof was made that due and legal Notice had been given.

Mike Sullens, Purchasing Department, responded to questions of the Board regarding this item.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Winkel Pontiac-GMC
Jones-West Ford
Reno Jeep
Reno Subaru
Champion Chevrolet
Carson Dodge

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that Bid No. 2111-99 for 1998/99 Sport Utility Vehicles and 3/4 ton 4x4 Diesel Powered Pick-up Trucks, on behalf of Social Services, the Utility Division of the Water Resources Department, and the Equipment Services Division of the General Services Department be awarded as follows:

Winkel Pontiac-GMC Bid Item #1A (Factory Order)
2 each 1999, 8600 GVWR 6.5L turbo diesel GMC Sierra pickup \$22,088.00 ea. \$44,176.00

Jones-West Ford Bid Item #2 (Dealer Stock) 1998 Ford Explorer XLT

Stock No. 3141V \$25,885.00 ea.

Stock No. 3127V \$25,885.00 ea.

Stock No. 3166V \$25,885.00 ea.

*Above vehicles are subject to prior sale and will only be purchased if requested by Sheriff

Reno Jeep Bid Item #2A (Factory Order)

5 ea. 1999, Jeep Cherokee Sport Utility Vehicles \$19,481.00 ea. \$97,405.00

It was further ordered that Bid Item #1 for dealer stock 3/4 ton 4x4 diesel powered pick-ups be rejected as pricing offered on dealer stock vehicles is not advantageous at this time.

It was noted that the award will allow the County and joinder agencies to order additional vehicles from the successful bidders through December, 1998 provided there is no increase in pricing offered. It was further noted that Jones-West Ford offered from dealer inventory, three 4x4 sport utility vehicles, equipped with V-8 engines and white in color, making them suitable for use as Sheriff's patrol vehicles; that they are recommended for contingent award in the event the Sheriff's Office desires more immediate replacements to their fleet as part of their approved FY 1999 fleet vehicle replacements; and that this award does not obligate the County to buy these particular vehicles.

98-939 UNBUDGETED CAPITAL OUTLAY - TRANSFER FROM CONTINGENCY - REMODEL OF HOUSING UNIT #6 - JAIL/FINANCE

Upon recommendation of Gary Goelitz, Senior Administrative Analyst, on motion by Commissioner Galloway, seconded by Commissioner Camp, which motion duly carried, Chairman Bond ordered that the unbudgeted capital outlay for the remodel of Housing Unit #6 within the County Jail be approved. It was further ordered that the reappropriation of \$45,000 within the Public Works Construction Fund, and the transfer of \$125,000 from the Contingency Fund and \$20,000 from the Risk Management Fund be authorized; and that the Comptroller be directed to post the necessary journal entries and complete the transactions, as follows:

TRANSFER FROM:

Account	Description	Amount
001-1890-7328	Contingency	\$125,400.00
019-1952-7160	Safety Division	\$ 20,000.00

TRANSFER TO:

Account	Description	Amount
092-920420-7880	Construction Contracts	\$145,400.00

98-940 BILL NO. 1215 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) - AGGREGATE FACILITIES AND MINING

Ron Kilgore, Community Development Department, read language amendments to Section 110.332.40(a) which he advised provides clarification to the review process. He then responded to questions of the Board. Commissioner Galloway stated that he would want assurance that no suburban development could be approved that would be located across the street from an aggregate operation. Mr. Kilgore advised that it would be extremely difficult to make the required findings of a special use permit that would allow an aggregate operation to be approved across from an existing residential area. Commissioner Shaw requested that staff provide the Board with a list of owners of aggregate pits and the status of their special use permits.

Pierre Hascheff, Attorney representing Rocky Ridge, advised that they are in agreement with the text changes based on the following understandings: (1) that they fall under Section 110.332.40(a) and have two special use permits that do not have review dates and would have to come in for a compatibility review, (2) that when conditions are imposed for compatibility purposes, the operator may not be able to comply with those conditions and the operator would be provided with the opportunity to request a variance or a reasonable amortization period, (3) that there is an interrelationship between Article 810 and Article 332, and there will not be another findings review under Article 810 when they come in for their compatibility review under 110.332.40(a); and (4) that 110.332.40(a) is not a revocation proceeding, but is simply a compatibility review and imposition of conditions, and does not represent another finding they have to meet.

Upon inquiry of Commissioner Galloway, Mr. Hascheff stated that his understanding of the text changes is that they have to come back before the Planning Commission within 180 days for their compatibility review and thereafter every five years. Mr. Kilgore commented that when a new application is filed, the time for review is at the discretion of the Planning Commission, and, although five years has been normal, they may request a review in less time; that staff would normally recommend the standard five years; and that the Planning Commission or the County Commission could establish the review period for a specific operation.

Bill No. 1215 entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO ADD AN ARTICLE SPECIFICALLY REGULATING AGGREGATE FACILITIES (ARTICLE 332), TO CHANGE THE REGULATION OF MINING (ARTICLE 334) GENERALLY CONSISTENT WITH THE NEW REGULATIONS FOR AGGREGATE FACILITIES, AND TO ESTABLISH NEW PROCEDURES FOR THE ENFORCEMENT OF THE CONDITIONS OF APPROVAL OF AGGREGATE FACILITIES AND MINING," as amended, was introduced by Commissioner Galloway, the title read to the Board, and legal notice for final action of adoption directed.

Commissioner Galloway requested that staff converse further with Mr. Hascheff and other interested parties to determine if language could be added to the ordinance directing that at the time of the review by the Planning Commission, a date be set for the next review which would not be more than five years, which language would be considered by the Board at the second reading.

98-941 BILL NO. 1216 - AMENDING WCC CHAPTER 110 (DEVELOPMENT CODE) - VARIANCES/HOME OCCUPATIONS/ SPECIAL USE PERMITS/ADMINISTRATIVE PERMITS

Bill No. 1216 entitled, "AN ORDINANCE AMENDING CHAPTER 110 OF THE WASHOE COUNTY CODE TO SPECIFICALLY PROHIBIT USE VARIANCES (SECTION 110.302.00), TO DELETE THE REGULATIONS REGARDING HOME OCCUPATIONS (ARTICLE 308), TO REMOVE THE CONFORMANCY REQUIREMENTS FOR VARIANCES (SECTION 110.804.35), SPECIAL USE PERMITS (SECTION 110.810.45) AND ADMINISTRATIVE PERMITS (SECTION 110.808.25), AND TO ESTABLISH NEW PROCEDURES FOR THE ISSUANCE OF ADMINISTRATIVE PERMITS (ARTICLE 808)," was introduced by

Commissioner Shaw, the title read to the Board, and legal notice for final action of adoption directed.

98-942 INCREASE IN PAY LIMITS - AGREEMENT WITH SPB UTILITY SERVICES, INC. - WATER RESOURCES

Katy Simon, County Manager, stated that Ray Sibley, Risk Manager, has advised that a lower cost of the performance bond may be able to be negotiated and staff would recommend that, should the Board approve the agreement, it be for a not-to-exceed amount of \$27,425.23.

Upon recommendation of Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the increase in pay limits in the agreement between Washoe County and SPB Utility Services, Inc., in the not-to-exceed amount of \$27,425.23, representing the cost of the pollution and general liability insurance for this year, be approved.

It was noted that the agreement with SPB Utility Services, Inc. approved by the Board on June 17, 1997 is for full service operation and maintenance of Washoe County sewer treatment and pumping facilities; and that as part of that agreement the cost of pollution and general liability insurance is to be reviewed annually by staff and brought back to the Board for renewal.

98-943 AGREEMENT - UPDATED SOFTWARE PROGRAM - ECHO MANAGEMENT GROUP - SENIOR SERVICES

Upon recommendation of Karen Mabry, Director, Senior Services, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the contract between Washoe County and Echo Management Group in the amount of \$46,595.00 for the purpose of providing an updated software program for Senior Services, be approved and Chairman Bond be authorized to execute.

98-944 AMENDMENT TO LEASE AGREEMENT - STATE OF NEVADA (STATE LANDS DIVISION) - FAIRGROUNDS - GENERAL SERVICES

Upon recommendation of Jean Ely, Interim Director, General Services Department, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Amendment to the Washoe County Fairgrounds Lease Agreement between Washoe County, Lessee, and the State of Nevada, acting by and through its Division of State Lands, Lessor, permitting use of certain real property for the purposes of constructing and maintaining a County Public Building Complex during the term of the existing lease which expires on March 21, 2050, be approved and Chairman Bond be authorized to execute.

98-945 LEASE AGREEMENT - MMK PROPERTIES - OFFICE AND WAREHOUSE SPACE - HEALTH DEPARTMENT VECTOR CONTROL PROGRAM - GENERAL SERVICES

Commissioner Galloway asked questions relative to the lease rates. Later in the meeting, Jean Ely, Interim Director, General Services Department, appeared to provide the requested information.

Upon recommendation of Jean Ely, Interim Director, General Services Department, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Lease Agreement between Washoe County, Lessee, and MMK Properties of Nevada, a Nevada general partnership, Lessor, for the purpose of leasing warehouse plus adjacent office space at 405 Western Road, Reno, Nevada, for a thirty-six month period commencing retroactive to May 1, 1998 and terminating April 30, 2001, for the continuous

operation of the District Health Department Vector Control Program and for such other terms and conditions as stated therein, be approved, and Chairman Bond be authorized to execute. It was further ordered that a funding transfer be authorized in the amount of \$3,000.00 from available budgeted funds within Health (Account No. 17210-7181) to General Services (Account No. 1611-7340) for costs associated with lease of office space.

98-946 LEASE AGREEMENT - DENNIS ANASTASSATOS - OFFICE SPACE - HEALTH DEPARTMENT WOMEN, INFANT AND CHILDREN CLINIC IN SUN VALLEY - GENERAL SERVICES

Upon recommendation of Jean Ely, Interim Director, General Services Department, on motion by Commissioner Shaw, seconded by Commissioner Camp, which motion duly carried, it was ordered that the Lease Agreement between Washoe County, Lessee, and Dennis Anastassatos, Lessor, for the purpose of leasing office space to provide a satellite office of the District Health Department Women, Infant and Children (WIC) clinic in Sun Valley, for a twenty-four-month period commencing October 1, 1998 through September 30, 2000, and for such other terms and condition as stated therein, be approved, and Chairman Bond be authorized to execute. It was further ordered that a funding transfer be made in the amount of \$16,300 from budgeted funds within the District Health Department (Account No. 17460-7181) to General Services (Account No. 1611-7340) to cover costs associated with the lease of this satellite facility.

98-947 AGREEMENT - RENO RADIO REPRESENTATIVES, L.L.C. - "THE HAUNTED PARK" - RANCHO SAN RAFAEL PARK

Karen Mullen, Director, Department of Parks and Recreation, reviewed "The Haunted Park" program and responded to questions of the Board.

Upon recommendation of Gregg Finkler, Park Operations Superintendent, through Karen Mullen, Director, Department of Parks and Recreation, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Parks and Recreation Department be authorized to enter into an agreement with Reno Radio Representatives, L.L.C. for co-sponsorship of "The Haunted Park" special event to be held at Rancho San Rafael Park and Chairman Bond be authorized to execute.

It was noted that the "The Haunted Park" will generate additional revenue for Parks and Recreation; and that the event will be promoted as a family affair with activities for all ages from 5:00 p.m. to 10:00 p.m., October 21 through October 31, 1998.

98-948 APPOINTMENT - VERDI TOWNSHIP CITIZEN ADVISORY BOARD

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Adrian Argyns, Sandra Kautz, Kevin Lods, and Brian McCormack be appointed to fill four vacant at-large positions on the Verdi Township Citizens Advisory Board with terms to expire June 30, 2000. It was further ordered that Rob Medeiros be appointed as an area business liaison with term to expire June 30, 1999.

98-949 CLASS SPECIFICATION - SALARY RANGE - DIRECTOR OF COMMUNITY DEVELOPMENT - PERSONNEL

Commissioner Mouliot stated that he would like assurances that there will not be the pay disparity that was previously experienced in the Community Development Department between the Director and Supervisors. Katy Simon, County Manager, advised that the Personnel

Department has evaluated the internal equity of the department and the salary range for the Director has been adjusted downward by 10.3% to reflect the changes in the duties and responsibilities; and that the Director's salary range is competitive for comparable duties, and staff will review the Supervisor salaries within the department.

Upon recommendation of Joanne Ray, Chief of Personnel, on motion by Commissioner Mouliot, seconded by Commissioner Galloway, which motion duly carried, Chairman Bond ordered that the revised class specification for the Director of Community Development and the new salary range of \$73,507.20 to \$91,894.40 (M075); and that staff be directed to look at the salary figures within the Department. It was further ordered that staff be directed to prepare the ordinances reorganizing the Department of Community Development and establishing the Department of Building and Safety.

98-950 TRANSFER OF WATER RIGHTS - SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT - WATER RESOURCES

Ed Schmidt, Director, Department of Water Resources, provided information regarding this item and responded to questions of the Board. Commissioner Galloway noted the list of other agencies that have dedicated water rights to the County and expressed concern that a transfer of original water rights to STMGID might set a precedent. Mr. Schmidt stated that he believes there is a differentiation between the STMGID original block of water rights and other water agencies such as Reno Park Water Company and Sun Valley General Improvement District because the Board of County Commissioners is also the Board of Trustees for STMGID. Commissioner Galloway stated that he is not comfortable with making the transfer but if the Board takes action to approve said transfer, it should be noted that the Board is only doing so because they are also the Board of Trustees of STMGID. Mr. Schmidt referred to conditional language contained in the agenda memorandum relative to any change in the State Legislation that would affect the subject water rights and suggested that that language be included in the motion should the Board decide to approve the transfer; that that clear direction be provided that the transfer is only for STMGID

Commissioner Shaw asked if it is still the position of the Water Planning Commission not to make this transfer. Mr. Schmidt stated that this issue has not been on their agenda since they made that recommendation in July and there has been no change; that their concern was with the issue of control of the water rights; that they were not satisfied with the formation of the water plan and were not comfortable with the participation level from STMGID; and that since that time, Dwight Blevins of the Local Managing Board, has been attending the meetings and is working more closely with the Water Planning Commission.

Dwight Blevins, Chair, South Truckee Meadows GID Local Managing Board, advised that the original block of water rights were purchased by the District with ad valorem taxes and he believes there is a distinct differentiation between the different sets of water rights; that the Board as Trustees of the District has defacto control of those water rights; that the Local Managing Board has turned the corner in regional participation and has shown the community, as they have in the past, that they are willing to participate on a regional basis, noting that the solutions to the entire region in terms of water rights includes everyone in the big picture; and that the County leads the community in water planning and he believes the policies and ordinances need to be revised to provide fairness within the community and in policy with regard to this entire issue.

Chairman Bond stated that she supports the transfer of the original block of water rights because, as the Board of Trustees of STMGID, this Board is not really giving anything away; and that she does not want anything to undermine the regionalization of water. Commissioner Camp commented that a transfer of the original block of water rights would go far in rebuilding the trust of the people involved with STMGID and

allow them to participate in regional planning. Commissioner Shaw agreed. Commissioner Galloway stated that he will support the recommendation of the Regional Water Planning Commission who has indicated that they do not think it is in the best interest of regional water management to make this transfer.

Diana Lang, Sun Valley General Improvement District, advised that she was a member of the task force that originally discussed the water rights, and is a member of the current task force for STMGID; and that, although she is not representing the Regional Water Board today, she is a member of that Board. She stated that she agrees that approval of this transfer would go a long way to bridge communication and trust; that there is a new generation and a new attitude with the STMGID Board and they are trying to work regionally with the water board and the Board of County Commissioners; and that she voted "no," on the motion by the Regional Water Board to deny giving STMGID the original block of water rights because she felt that the issue should be looked at regionally with all purveyors and the focus should not be just on STMGID. Ms. Lang then responded to questions of the Board.

Commissioner Mouliot commented that he has no problem giving back the original block, but feels that some of the people who spoke in the past representing STMGID made statements that were inappropriate and he would not want that type of situation to occur again. Mr. Blevins advised that things have changed dramatically since that time and that should not occur again.

Ted Short, area resident, advised that he was a 13-year member of the STMGID Board and by all fairness the original block of water rights were purchased, not by Washoe County or the developers, but by the taxpayers that actually own STMGID; and that the transfer would go a long way to diffuse much of the anger in the District over the water rights that were leased to Double Diamond Industrial in 1992 without any knowledge of the Board and other appropriate parties.

On motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried with Commissioner Galloway voting "no," Chairman Bond ordered that the transfer of title for the original Trans Sierra block of water rights into STMGID's name be approved; that no additional dedications are being transferred; and that this transfer is subject to the condition that there will be an automatic reversion of the water rights to the County in the event of a State law change providing for removal of the Board as Trustees for STMGID or the creation of another regional water authority or the consolidation of agencies or districts.

Commissioner Galloway noted that this action is taken by the Board in their position as Trustees and governing board of the South Truckee Meadows General Improvement District.

98-951 HONEY LAKE VALLEY WATER RIGHTS - WATER RESOURCES

Ed Schmidt, Director, Department of Water Resources, reviewed the proposed alternatives regarding the Honey Lake Valley water rights for the Board's consideration, as outlined in the agenda memorandum dated September 11, 1998, and responded to questions of the Board. He advised that staff is recommending Alternative #3, which is to market the County applications, and if necessary, Alternative #2, which would be to renegotiate an extension of the term. He noted that the Water Planning Commission's preference is that the County not spend any money on the Honey Lake water rights, and there is a possibility of some expenditure under Alternative #2.

Commissioner Galloway stated that he supports staff's recommendation; that he would not want to see taxpayer monies lost and under

Alternative #3 the risk relative to any delivery of water service would be to the private sector rather than to public funds; and that Alternative #2 would be a fallback option in the event more time is needed for the marketing process, noting that the only way he would want to utilize this option would be if funds or control would be coming back to the County during the marketing process. He further stated that he does not support Alternative #4, which would explore partnering opportunities, because of the potential liability by the County under that scenario.

Following further discussion, upon recommendation of Donald Mahin, Department of Water Resources, through Ed Schmidt, Director, Department of Water Resources, on motion by Commissioner Shaw, seconded by Commissioner Mouliot, which motion duly carried, Chairman Bond ordered that staff be directed to market the Washoe County interest in the water rights change applications and water rights option (Alternative #3), and, if necessary, renegotiate the option to extend the term (Alternative #2) if marketing efforts are not completed by December 31, 1998.

It was noted that staff will bring all qualified offers back to the County Commission for consideration and will provide a status report concerning the Alternative #2 relative to extension of the term.

98-952 REPORT - JANUARY 7, 1998 SIERRA CHEMICAL EXPLOSION INCIDENT

Katy Simon, County Manager, advised that she requested that the staff members and agencies that participated in the response to the January 7, 1998 Sierra Chemical explosion incident provide a report to the Board. She then advised that some of recommendations that staff members made include (1) a continued commitment to the incident command system and unified command as appropriate, (2) a strengthened emphasis on regular inspection schedules, (3) proceeding with review and implementation of the Clark Commission recommendations, and (4) proceeding with implementation of the automated permanent tracking system.

Roy Slate, Assistant Fire Chief, and Jess Traver, Building and Safety Division, provided additional information and responded to questions of the Board.

Chairman Bond noted that Sierra Chemical is in the process of submitting plans for a new facility and asked if that process was being carefully evaluated. Mr. Traver advised that the new facility will be watched very carefully; that the Building and Safety Division and the Truckee Meadows Fire Department will conduct a very comprehensive review of construction plans; and that they will utilize the services of private consultants and appropriate agencies to assist in the review. Mr. Slate noted that Mr. Kinder, owner and President of Sierra Chemical, has been very cooperative in assisting in this process. Chairman Bond thanked staff for the report.

COMMISSIONERS'/MANAGER'S COMMENTS

Chairman Bond stated that the "Yes Yes For Kids" group have requested that the Board consider adoption of a resolution at their next Board meeting in support of the school bond. Katy Simon, County Manager, advised that the matter has been forwarded to Legal Counsel Shipman to assist staff in addressing the request.

Commissioner Galloway commented that at a recent joint meeting with the Reno and Sparks City Councils, the Board stated that it would revisit at least a portion of the County's Legislative agenda regarding certain annexation items, and he would hope that something will be coming forth

on this matter in the near future; and that since the Board needs to periodically revisit the Legislative agenda as a whole, he would like to be able to the discuss other Legislative issues at that time. Chairman Bond stated that that meeting will probably be scheduled sometime in October.

98-953 EMERGENCY ITEM - RETROACTIVE APPOINTMENT OF ACTING DIRECTOR - COMMUNITY DEVELOPMENT

Katy Simon, County Manager, advised that Jess Traver, County Building Official, was appointed Acting Director of Community Development on June 23, 1998; that the workload for managing both Building and Safety and Community Development has been determined to be excessive for one individual and Mr. Traver has requested to return to his former position; that Howard Reynolds has agreed to serve as Acting Director of Community Development; and that she and Mr. Reynolds met with Community Development staff last week and everyone was very positive about this change.

Upon recommendation of Katy Simon, County Manager, on motion by Commissioner Camp, seconded by Commissioner Shaw, which motion duly carried, Chairman Bond ordered that Howard Reynolds be appointed retroactively as the Acting Community Development Director, effective September 21, 1998.

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There being no further business to come before the Board, the meeting adjourned at 10:50 a.m.

JOANNE BOND, Chairman
Washoe County Commission

ATTEST: BETTY J. LEWIS, County Clerk